

REMARKS

It is respectfully requested that the foregoing amendment be entered. The foregoing amendment adds to the specification the reference to provisional application number 60/182,130 for the claim of priority. The amendment requires no additional search or examination because the scope of the claims is not being changed. This amendment was not presented earlier because the acknowledgement of the priority claim in the official filing receipt was previously believed sufficient in this case.

The claim of priority was included in the application transmittal letter and therefore was made within the time period set forth in 37 CFR 1.78(a). In addition, the priority claim was recognized in the filing receipt. Thus, per MPEP 201.11(III)(D), neither the petition under 37 CFR 1.78(a) nor the surcharge under 37 CFR 1.17(t) is required for the amendment to the specification to include the reference to the provisional application. MPEP 201.11(III)(D) ("If an applicant includes a benefit claim in the application but not in the manner specified by 37 CFR 1.78(a) (e.g., if the claim is included in an oath or declaration or the application transmittal letter) within the time period set forth in 37 CFR 1.78(a), the Office will not require a petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) to correct the claim if the information concerning the claim was recognized by the Office as shown by its inclusion on the filing receipt.").

Enclosed is an issue fee transmittal and response with deposit account authorization.
Please apply any other credits or necessary charges to deposit account 06-1050.

Respectfully submitted,

Date: Oct. 16, 2007



William E. Hunter
Reg. No. 47,671

PTO Customer No. 21876
Fish & Richardson P.C.
Telephone: (858) 678-5070
Facsimile: (858) 678-5099